

NO. CR-51,328

FILED

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STATE OF TEXAS § IN THE DISTRICT COURT OF
V. § MIDLAND COUNTY, TEXAS
SEBASTIAN ALEXANDER ZAPATA § 238TH JUDICIAL DISTRICT

2018 DEC 27 PM 12:25
ALEX ARCHULETA
CLERK
MIDLAND COUNTY, TEXAS
DEPUTY

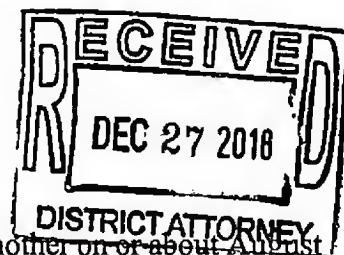
COUNSEL'S SECOND MOTION TO WITHDRAW

TO THE HONORABLE JUDGE OF SAID COURT:

THOMAS S. MORGAN, attorney for Defendant, SEBASTIAN ALEXANDER ZAPATA, hereby moves for leave to withdraw as defense counsel herein, and as grounds for such would respectfully show the following:

1.

Defense counsel was retained to represent the Defendant by his mother on or about August 6, 2018.



2.

On October 3, 2018 the undersigned file his first Motion to Withdraw which was denied by the Honorable Court on October 12, 2018.

3.

Since that date, the Defendant, along with his mother, have again expressed mistrust and accused the undersigned of covering up for "the police corruption that exists". Specifically, Defendant's mother wrote a letter to the Honorable Judge Leonard on November 6, 2018, a copy of which is attached hereto as Exhibit "A". In this letter, it states we [referring to both the Defendant

COPY

and his mother, Aracely Yates] “know that he [referring to Thomas S. Morgan] and the previous two attorneys Sebastian had have tried to cover up the police corruption that exists”.

4.

This is a serious claim against the undersigned and not one in which he takes lightly. The undersigned has valid concerns that the Defendant and/or his mother will eventually file a grievance against him as was done to one of Defendant’s former attorneys or file an ineffective assistance of counsel claim at some point in the future. Because the undersigned feels that he is having to look over his shoulder to protect his reputation and his good standing in the legal community against his own client, the undersigned cannot move forward in this matter and effectively represent the interests of the Defendant.

5.

Because of these continuing assertions that defense counsel is failing to provide Defendant with zealous and effective representation and covering up for the police which, in essence, is that he is working against Defendant’s interests, is a serious charge. Because of these assertions, an irreconcilable difference has arisen between counsel and Defendant which has irreparably undermined and damaged the attorney-client relationship. Counsel therefore seeks leave to withdraw so that the Defendant can retain an attorney whom he believes is representing the Defendant’s interests and not that of the police.

PREMISES CONSIDERED, the undersigned prays that the Court set this matter for hearing, and grant the relief requested herein.

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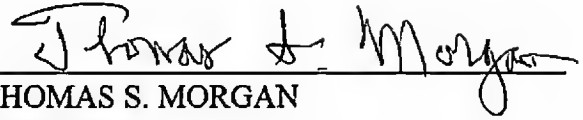
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PREMISES CONSIDERED, the undersigned prays that the Court set this matter for hearing, and grant the relief requested herein.

Respectfully submitted,



THOMAS S. MORGAN

State Bar No.

1902 West Illinois

Midland, Texas 79701

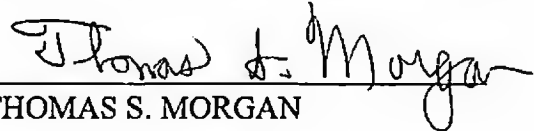
432-683-2703

432-684-7314 (Facsimile)

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I, THOMAS S. MORGAN, hereby certify that a true and correct copy of the above and foregoing was forwarded to the Office of the District Attorney, Midland County Courthouse, Midland, Texas 79701 and to Mr. Sebastian Alexander Zapata, on this 27 day of December, 2018.



THOMAS S. MORGAN

NO. CR-51,328

STATE OF TEXAS	§	IN THE DISTRICT COURT OF
V.	§	MIDLAND COUNTY, TEXAS
SEBASTIAN ALEXANDER ZAPATA	§	238 TH JUDICIAL DISTRICT

ORDER SETTING HEARING DATE

On this day the Court considered the motion filed by THOMAS S. MORGAN seeking the Court's permission to withdraw as attorney of record for Defendant, SEBASTIAN ALEXANDER ZAPATA.

IT IS HEREBY ORDERED that such Motion is hereby scheduled for hearing on the ____ day of _____, 2018 at _____ o'clock ____m.

SIGNED this the _____ day of December, 2018.

JUDGE PRESIDING

FILED

November 6, 2018

2018 NOV -8 PM 2: 59

Judge Leonard
Midland County Courthouse
500 N. Lorraine St, 3rd Floor
Midland, TX 79701

ALEX ARCHULETA
DISTRICT CLERK
MIDLAND COUNTY, TEXAS
BY *Shelbne* DEPUTY

Re: (Sebastian Zapata Jo. CR-51,328) Video evidence we have that a Texas DPS officer created a story that was put on the police report, used for the indictment, and the prosecutor will now be using to prosecute. This is something we have been told not to talk about.

Dear Judge Leonard:

Sebastian has informed me that his lawyer, Tom Morgan, wants to file a motion to keep out of court the "pretend" lie detector test that was given to Sebastian. I thought lie detector tests were not allowed in any court. I don't understand why he would even have to do this, other than the fact that we know that he and the previous two attorneys Sebastian had, have tried to cover up the police corruption that exists.

This video evidence that we have of this pretend lie detector test Sebastian was given and what was done to him by this (what I'm convinced is an actual psychopath) Texas DPS officer, would actually work in Sebastian's favor because it shows who he truly is. He puts the whole truth out there, and it is very clear that this psychopath officer is not happy or satisfied with not getting out of Sebastian what he wants and needs. He harasses and harasses, until he gets Sebastian to make up stories that he (the psychopath) wants to hear. You can even hear it in his voice how angry he gets when he cannot get what he wants and needs to feed his own selfish, sick ego. Then he gets happy when the made-up stories begin. He even says "Good" and "Tell me more." It's very sickening to watch and listen to. Any normal person who watches this video can clearly see what I am talking about. This is why they want to keep this hidden from jurors.

The psychopath officer even changes the already made up story because even that wasn't good enough for that sick bastard. Sebastian made up a story about one time touching his cousin's shoulder, and the cousin brushed it off. This is the only minor Sebastian had been around. That's why he brought up her name, because of course the psychopath kept pushing and harassing until Sebastian could come up with something that would make him happy. The psychopath loved hearing about Mia. So, he pushed and pushed, accusing Sebastian of having this monster in him that he could not control, and it was just going to make Sebastian continue to do these things to Mia that Sebastian just didn't want to admit to or talk about, and all this other sickening BS that must have been all about himself. I guess he just assumes that everybody is a sick bastard like him. This psychopath finally changes the already made up story to turn it into what he needs it to be. He changes "touching the shoulder" to "touching the breast". Sebastian finally just gives in and goes along with it. He realizes it's what's finally made this sick bastard happy. It's really darn bad and sickening to watch.

EXHIBIT
A
tabbles

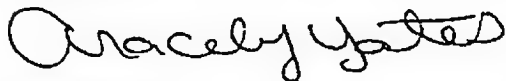
In the end, the psychopath brings in some other idiot to take down the, completely created by the psychopath, story and has Sebastian sign the false and coerced statement. This, completely created by a psychopath, story is on the police report and was used for Sebastian's indictment. Now, it's going to be used to prosecute him, and everybody in this system wants to keep hidden the video evidence (proof) that this story was completely created by a psychopath who works in this system and supported by other, obviously, corrupt individuals who also work in this system.

If this video evidence is not going to be allowed in court, then the false story that the psychopath created needs to be removed from the police report and it should not be used to prosecute Sebastian.

By the way, my niece was never even checked on about this, nor were her parents ever contacted about it. I offered to provide their full contact information, but of course no one is interested in that because, obviously, it does not matter to the anybody who works in this system if this story is true or not. The made-up story is just needed to get a conviction, and that's obviously all that matters to the people who work in this system. True protection of anybody is not a true concern. Creating an illusion of protecting pretend minors who truly don't exist (minors going on to adult sites looking to have sex with adult men for free) is obviously more important.

I will never stop speaking out about what has been done here and all the dishonesty we have dealt with from people working in our system.

Sincerely,

A handwritten signature in black ink that reads "Aracely Yates". The signature is written in a cursive, flowing style.

Aracely Yates

432-528-4164